

INTERNATIONAL SEARCH REPORT

International Application No.
PCT/US2005/024251

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A63F13/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A63F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	EP 0 877 314 A (AIM CORPORATION) 11 November 1998 (1998-11-11) column 12, line 28 - line 36	1-33
Y	US 6 036 601 A (HECKEL ET AL) 14 March 2000 (2000-03-14) column 3, line 3 - column 4, line 9	1-33
Y	EP 1 067 470 A (NETZERO, INC) 10 January 2001 (2001-01-10) paragraphs '0036!', '0064!'	1-33
A	US 2002/044567 A1 (VOIT ERIC A ET AL) 18 April 2002 (2002-04-18) abstract	1-33
A	US 2002/065136 A1 (DAY ADAM S) 30 May 2002 (2002-05-30) abstract	1-33

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

26 September 2005

Date of mailing of the international search report

06/10/2005

Name and mailing address of the ISA

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INTERNATIONAL SEARCH REPORT

International Application No
PCT/US2005/024251

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 0877314	A	11-11-1998	AU 1456397 A	20-08-1997
			CA 2244002 A1	31-07-1997
			CN 1214132 A	14-04-1999
			WO 9727531 A1	31-07-1997
			JP 3221569 B2	22-10-2001
			US 6639608 B1	28-10-2003
US 6036601	A	14-03-2000	AU 2628100 A	14-09-2000
			WO 0050136 A1	31-08-2000
EP 1067470	A	10-01-2001	AU 2069500 A	11-01-2001
			AU 3741300 A	30-01-2001
			CA 2299772 A1	07-01-2001
			WO 0104788 A2	18-01-2001
			US 2005192867 A1	01-09-2005
			US 6928615 B1	09-08-2005
US 2002044567	A1	18-04-2002	AU 8321401 A	25-02-2002
			WO 0214980 A2	21-02-2002
US 2002065136	A1	30-05-2002	NONE	

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 03 OCT 2005

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To:

see form PCT/ISA/220

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2005/024251

International filing date (day/month/year)
08.07.2005

Priority date (day/month/year)
15.07.2004

International Patent Classification (IPC) or both national classification and IPC
A63F13/00

Applicant
INTEL CORPORATION

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/024251

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/024251

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-33
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-33
Industrial applicability (IA)	Yes: Claims	1-33
	No: Claims	

2. Citations and explanations

see separate sheet

- 1.) Reference is made to the following documents:

D1 : US 6 036 601 A (HECKEL ET AL) 14 March 2000 (2000-03-14)

D2 : EP 0 877 314 A (AIM CORPORATION) 11 November 1998 (1998-11-11)

D3 : EP 1 067 470 A (NETZERO, INC) 10 January 2001 (2001-01-10)

- 2.) The present application does not meet the criteria of Article 33(1) PCT, because the subject matter of claim 1 does not involve an inventive step in the sense of Article 33(3)PCT.

Document D1 discloses a game in which adverts are incorporated (see abstract). The adverts are updated dynamically whilst a player is playing a game (see column 3, line 58 - column 4, line 9). Although D1 does not disclose specifically that the adverts include a time stamp, this is generally known in the art. For example D2 discloses a system for distributing dynamic information in the form of adverts. As is clear from e.g. column 12, lines 28 - 36, these may include time stamps. A similar system is known from D3 in which a play list is provided (see paragraph 64). It would be obvious for the skilled person to use a distribution system as known from D2 or D3 in a game of D1 and thus arrive at the claimed subject matter without requiring inventive skill.

In any case it would appear to be irrelevant that the method of claim 1 relates to a game. From a technical point of view, both D2 and D3 update content dynamically in the same way as the present application and it is unimportant what the aesthetic content of the software is.

The above applies mutatis mutandis to claims 8, 15, 20, 24 and 28.

- 3.) The dependent claims do not appear to contain any features which could contribute

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/US2005/024251

to an inventive step. For example MPEG4 is a known standard and would be used by the skilled person according to the circumstances without requiring inventive skill. The use of demographic data is known from D1 in the passage cited above.